

PATENT
Att. Docket No. 55280#7
NW
7/9/03

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Andrews, et al.

Serial No: 09/916,465

Filed: July 26, 2001

For: METHOD AND KIT FOR TYPING
FELINE BLOOD

Group No. 1641

Examiner J. Chou

Conf. No. 8758

Via FACSIMILE
703-746-9434
Examiner Jacob Chou

INTERVIEW SUMMARY

Dear Sir:

This Paper is submitted in furtherance to the Telephonic Interviews conducted between Examiner Jacob Chou and the undersigned on Tuesday, July 1, 2003 and Wednesday, July 2, 2003.

During the interviews, the response filed by the Applicant for the Examiner's Office Action dated December 30, 2002 for U.S. Patent Application Serial No. 09/916,465, was discussed. The Examiner indicated that all the remaining claims would be allowed if the

CERTIFICATE OF MAILING

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Applicant filed proof that a sample of the monoclonal antibodies listed in claims 4 and 5 of the application had been deposited in an approved biological depository. Otherwise, the Examiner indicated Applicant could either cancel claims 4 and 5 and the remaining claims 1-3, 6-18, 22 and 23 would be allowed or Applicant could provide the ID numbers for the glycolipid A antigen (NcuGc)₂G_{DD} and the glycolipid A antigen (NcuGc)G_{T3}. The Examiner gave the Applicant until today, July 8, 2003 to respond. The Applicant noted its objection to the requirement of a biological deposit in the instant case. Applicant also noted that the MPEP allows Applicant to file a statement proving deposit of biological material any time during the pendency of the application (MPEP Section 2406).

The Examiner indicated in the telephone interview of Tuesday, July 1, 2003 that the Applicant needed to prove a date of publication for the Green et al. (Comparative Haematology, 200) prior art reference that had previously been cited against the Applicant. Applicant had indicated in the Office Action Response that the Green reference had been shipped on July 25, 2000 and therefore was not a proper prior art reference under 35 U.S.C. Section 102(b). The Examiner gave the Applicant until today, Tuesday, July 8, 2003 to supply proof of the publication date of this reference. The Examiner indicated in the telephone interview of July 2, 2003 that it was no longer necessary for the Applicant to file such proof as the library at the U.S. Patent and Trademark Office had determined the date of publication for the Greene reference was less than one year prior to the July 26, 2001 filing date of the current application.

The Commissioner is authorized to charge any additional fees associated with this paper or credit any overpayments associated therewith to Deposit Account No. 50-1662.

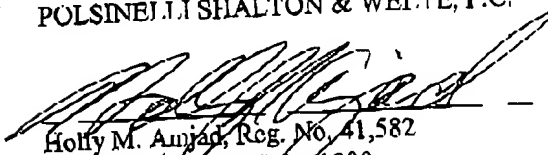
Should there be any questions concerning this paper, the undersigned can be contacted at the address and telephone number below.

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Respectfully submitted,

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